

AMENDED IN ASSEMBLY JUNE 25, 2013

AMENDED IN SENATE APRIL 1, 2013

SENATE BILL

No. 667

Introduced by Senator Roth

February 22, 2013

An act to amend Sections 104650 and 104655 of, and to amend the heading of Article 2 (commencing with Section 104650) of Chapter 2 of Part 3 of Division 103 of, Section 25996 of the Health and Safety Code, relating to public health.

LEGISLATIVE COUNSEL'S DIGEST

SB 667, as amended, Roth. ~~Healthy eating program. Retail sale of shelled eggs.~~

Existing law prohibits a shelled egg from being sold or contracted for sale for human consumption in California if it is the product of an egg-laying hen that was confined on a farm or place that is not in compliance with animal care standards. Violation of these provisions is a misdemeanor.

This bill would instead prohibit a shelled egg from being sold or contracted for sale for human consumption in California if it is known to be the product of an egg-laying hen that was confined on a farm or place that is not in compliance with animal care standards. The bill would specify that, for purposes of this prohibition, a retail seller of eggs is conclusively presumed to lack knowledge that eggs are noncomplying if the retail seller receives and maintains for one year after the sale a bill of lading, invoice, or other document affirmatively stating in writing that the eggs were the product of egg-laying hens confined in compliance with animal care standards.

~~Existing law requires the State Department of Public Health to establish and implement the 5 A Day—For Better Health program to promote public awareness of the need to eat more fruits and vegetables in order to improve health and prevent major chronic diseases. Existing law specifies that these provisions do not prohibit contributions to the program by certain marketing organizations and commissions.~~

~~This bill would instead require the department to establish and implement a healthy eating program, as specified, to promote public awareness of the need to eat healthy. The bill would also specify that these provisions do not prohibit contributions to the healthy eating program by certain marketing orders.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 25996 of the Health and Safety Code is~~
2 ~~amended to read:~~

3 ~~25996. Commencing January 1, 2015, a shelled egg shall not~~
4 ~~be sold or contracted for sale for human consumption in California~~
5 ~~if it is known to be the product of an egg-laying hen that was~~
6 ~~confined on a farm or place that is not in compliance with animal~~
7 ~~care standards set forth in Chapter 13.8 (commencing with Section~~
8 ~~25990).~~

9 ~~For purposes of this section, a retail seller of eggs is conclusively~~
10 ~~presumed to lack knowledge that eggs are not in compliance with~~
11 ~~those standards if the retail seller receives and maintains for one~~
12 ~~year after the sale a bill of lading, invoice, or other document from~~
13 ~~the egg producer or other person from whom the retailer purchased~~
14 ~~the eggs that affirmatively states in writing that the eggs were the~~
15 ~~product of egg-laying hens that were confined in compliance with~~
16 ~~the animal care standards set forth in Chapter 13.8 (commencing~~
17 ~~with Section 25990).~~

18 ~~SECTION 1. The heading of Article 2 (commencing with~~
19 ~~Section 104650) of Chapter 2 of Part 3 of Division 103 of the~~
20 ~~Health and Safety Code is amended to read:~~

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Article 2. Healthy Eating Program

1 ~~SEC. 2. Section 104650 of the Health and Safety Code is amended~~
2 ~~to read:~~

3 ~~104650. (a) The department shall establish and implement, to~~
4 ~~the extent funds are available pursuant to subdivision (d) which~~
5 ~~are other than state general funds, a healthy eating program, based~~
6 ~~on 5 A Day, MyPlate, or other similar healthy eating campaign~~
7 ~~programs, for the purpose of promoting public awareness of the~~
8 ~~need to eat healthy and increase the consumption of fruits and~~
9 ~~vegetables as part of a low-fat, high-fiber diet in order to improve~~
10 ~~health and prevent major chronic diseases, including diet-related~~
11 ~~cancers.~~

12 ~~(b) The department may promote the healthy eating program to~~
13 ~~the public through channels, including, but not limited to, print~~
14 ~~and electronic media, retail, grocers, schools, and other government~~
15 ~~programs. For purposes of this article, “public” includes, but is~~
16 ~~not limited to, the general adult population, adults with lower~~
17 ~~educational attainment, schoolage children and youth, and high-risk~~
18 ~~groups determined by the department.~~

19 ~~(c) The department may, at its sole discretion, contract with~~
20 ~~qualified organizations for general or specialized services to~~
21 ~~implement this article, including personnel, marketing, public~~
22 ~~relations, research, evaluation, and administration.~~

23 ~~(d) The department is encouraged to investigate all available~~
24 ~~funding sources, public and private, for the purposes of this article,~~
25 ~~including application for public and private grants.~~

26 ~~SEC. 3. Section 104655 of the Health and Safety Code is~~
27 ~~amended to read:~~

28 ~~104655. Notwithstanding any other law, nothing in this article~~
29 ~~prohibits contributions to the program created pursuant to this~~
30 ~~article by marketing orders issued pursuant to Division 21~~
31 ~~(commencing with Section 58001) of the Food and Agricultural~~
32 ~~Code and organizations and commissions subject to Division 22~~
33 ~~(commencing with Section 63901) of the Food and Agricultural~~
34 ~~Code.~~